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IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

International Application No. : PCT/EP2004/003091
International Filing Date : 24 March 2004 (24.03.2004)
Priority Date(s) Claimed : 18 April 2003 (18.04.2003)
Applicant(s) (DO/EO/US) : Herwig BUCHHOLZ, et al.

Title: ANTIMICROBIAL PIGMENTS

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
 - ☒ within three months of the actual filing date of the national phase of a PCT application; OR
 - ☐ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- a final rejection under 37 C.F.R. 1.113;
 - termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
 - a notice of allowance under 37 C.F.R. § 1.311; and

is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
- ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).

☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:

- ☐ a final action under 37 C.F.R. § 1.113;
- ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
- ☐ OR a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. _____, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☒ Copies of materials listed but not attached were cited in an international search report dated November 2, 2004.
- ☐ Not required by 37 CFR § 1.98.
- ☐ Copies of the materials listed are attached (except for the foregoing).

Non-English Language References

☒ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).

☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:

X = document of particular relevance when it is taken alone

Y = document of particular relevance when it is combined with another such document

A = document defining the general state of the art

O = non-written disclosure

P = intercalated document

T = document cited to understand the theory or principle underlying the invention

E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date

D = cited in the application

L = cited for another reason

& = publication of member of same patent family

☐ Translation of other relevant information on foreign search report

Other Information

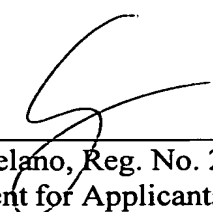
Payment of Fees Due (If Any):

☐ A check for \$_____ covering the fee identified above is attached.

☐ Please charge to Deposit Account No. 13-3402 \$_____ for the fee identified above.

☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



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Attorney Docket No.: MERCK-2686-1

Date: October 17, 2005

AJZ:ssr

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
		Application Number	USNP of PCT/EP2004/003091		
		Filing Date	24 March 2004 (24.03.2004)		
		First Named Inventor	Herwig BUCHHOLZ, et al.		
		Group Art Unit	unknown		
		Examiner Name	unknown		
		Attorney Docket Number	MERCK-2686-1		
Sheet	1	of	2		

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	001	6,030,627	A	SEO, et al.	02-29-2000
	002	4,906,466	A	EDWARDS, et al.	03-06-1990
	003	5,503,840	A	JACOBSON, et al.	07-01-1997

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	004	EP	0 665 004	A	LUCKY LTD	08-02-1995	Ex. 1, 2	001
	005	EP	0 251 783	A	JOHNSON MATTHEY PLC	01-07-1988	claims 1-8	002
	006	JP	01 268764	A	ISHIHARA SANGYO KAISHA LTD.	10-26-1989	abstract	
	007	WO	94/15462	A	DU PONT	07-21-1994	claims 1-3, 15	003

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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				Group Art Unit		unknown	
				Examiner Name		unknown	
Sheet	2	of	2	Attorney Docket Number		MERCK-2686-1	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	008	DATABASE CHEMABS 'ONLINE' CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US; ENTERED STN: 15 JULY 1997 (1997-07-15) SEO, D. S. ET AL: *ANTIMICROBIAL INORGANIC PIGMENTS FOR COSMETICS; XP002298452, RETRIEVED FROM STN DATABASE ACCESSION NO. 127:39451 ABSTRACT & COSMETICS & TOILETRIES, 112 (5), 83-88, 90 CODEN: CTOIDG; ISSN: 0361-4387, 1997	
	009	A. GOETZ, E.C.Y. INN: "REVERSIBLE PHOTOLYSIS OF AG SORBED ON COLLOIDAL METAL OXIDES: REVIEWS IN MODERN PHYSICS, VOL. 20, NO. 1, JANUARY 1948, PAGES. 131-142, XP002298486, CITED IN THE APPLICATION PAGE 131, COLUMN 2, PARAGRAPH B. - PAGE 133, COLUMN 1, LINE 18	
	010	DATABASE WPI, SECTION CH, WEEK 198949; DERWENT PUBLICATIONS LTD., LONDON, GB; CLASS A60, AN 1989-359956 XP002298538	

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